

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Appl. No. : 10/802,465  
Applicants : Anthony Passalaqua  
Filed : March 17, 2004  
Title : METHOD AND SYSTEM  
FOR CREATING AN IMAGE  
OF A RADIATION SOURCE  
TC/A.U. : 2878  
Examiner : POLYZOS, FAYE S  
Docket No. : AMP-6967  
Customer No : 26874

Confirmation No. 4021

NOV 29 2004

TECH CENTER 2800

NOV 22 2004

RECEIVED

NOV 29 2004

TECH CENTER 2800

**THIRD-PARTY SUBMISSION IN A PUBLISHED  
APPLICATION UNDER 37 CFR 1.99**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is being filed in connection with the above-referenced application, U.S. Appl. No. 10/802,465, as a submission by a member of the public of patents or publications relevant to a pending published application pursuant to 37 CFR 1.99.

In compliance with the requirements of Rule 1.99, Applicant provides the following:


- (1) The \$180 fee set forth in § 1.17(p).
- (2) The patent or publication submitted for consideration by the Office is:  
U.S. Pat. Application Ser. No. (TBA), filed November 19, 2004, by  
Passalaqua, Anthony M.; (Hudson, OH) and Timmons, William D.;  
(Hilliard, OH), entitled "METHOD AND SYSTEM FOR CREATING AN  
IMAGE OF A RADIATION SOURCE," Attorney Docket No.  
0105758.0529066, Express Mail No. EV316085863US.

- (3) Attached is a copy of each listed patent or publication in written form or at least the pertinent portions.
- (4) Submitter hereby certifies that the third party has served the information being submitted upon the applicant in compliance with 37 CFR 1.248(b). Submitter hereby supplies a copy of the mailed correspondence showing a Certificate of Service by Certified Letter mailing label thereon.
- (5) Included is a self-addressed postcard with the submission for an acknowledgment by the Office that the submission has been received.

Thus, it is respectfully submitted that the submitter has timely filed the reference to be considered pursuant to 37 CFR 1.99. The Commissioner of Patents and Trademarks is hereby authorized to charge any fees or credit any overpayment to Frost Brown Todd LLC's Deposit Account No. 06-2226 for any additional charge or credit associated with this Submission.

Respectfully submitted

FROST BROWN TODD LLC

By:   
Stephen R. Albainy-Jenei  
Registration No. 41,487  
Attorney for Applicant(s)  
FROST BROWN TODD LLC  
2200 PNC Center  
201 East Fifth Street  
Cincinnati, Ohio 45202  
Tel: (513) 651-6839  
Fax: (513) 651-6981  
Salbainyjenei@fbtlaw.com



**CERTIFICATE OF SERVICE**

I hereby certify that this original Third-Party Submission in a Published Application under 37 CFR 1.99 is being deposited in the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 (Express Mail No. EV316086325US); a copy is being served by Certified Mail (Certified Mail No. 7000 1670 0012 3290 7272) upon James L. Tarolli, Tarolli, Sundheim, Covell, & Tummino LLP, 526 Superior Avenue, 1111 Leader Building, Cleveland, Ohio 44114-1400, attorney for Anthony M. Passalaqua, 38 Warrensburg Circle, Hudson, Ohio 44236 on this 22<sup>nd</sup> day of November, 2004.

---

Stephen R. Albainy-Jenei

1455142-1

**RECEIVED**

**NOV 29 2004**

**TECH CENTER 2800**



**CERTIFIED MAIL**



7000 0600 0027 5577 3232

**Frost  
Brown Todd<sup>LLC</sup>**

201 East Fifth Street | Cincinnati, Ohio 45202-4182

# **First Class Mail**

James L. Tarolli  
Tarolli, Sundheim, Covell, & Tummino LLP  
526 Superior Avenue  
1111 Leader Building  
Cleveland, Ohio 44114-1400

**BEST AVAILABLE COPY**

**RECEIVED**

**NOV 29 2004**

**TECH CENTER 2800**